

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Springer Construction LLC

Debtor

Case No. 22-31974-dwh7

☐ Amended

**NOTICE OF INTENT TO SELL REAL OR
PERSONAL PROPERTY, COMPENSATE
REAL ESTATE BROKER, AND/OR PAY
ANY SECURED CREDITOR'S FEES AND
COSTS; MOTION FOR AUTHORITY TO
SELL PROPERTY FREE AND CLEAR OF
LIENS; AND NOTICE OF HEARING**

[Do not use to sell personally identifiable
information about individuals]

NOTICE IS GIVEN that Kenneth S. Eiler, the Chapter 7 Trustee
(debtor, trustee, etc.), intends to sell the property described below and moves for authority
to sell the property free and clear of liens under 11 U.S.C. § 363(f) and the guidelines set
forth in Local Bankruptcy Form (LBF) 363, *Procedures re: Motions for Sale of All or
Substantially All Assets*. The movant's name, address, and phone number are:

Kenneth S. Eiler, Trustee, 515 NW Saltzman Rd., PMB 810, Portland, OR 97229
503-292-6020

If you wish to object to any aspect of the sale or fees disclosed in paragraph 7 or 15, you
must:

1. Attend the hearing set in paragraph 16 below; and
2. Within 21 days after the later of the date next to the signature below or the service
date in paragraph 17 below, file with the clerk at 1050 SW 6th Ave. #700, Portland OR
97204 or 405 E 8th Ave. #2600, Eugene OR 97401:
 - a. a written objection stating the specific facts upon which the objection is based, and
 - b. a certificate of service of the objection on the movant.

This document constitutes the notice required by Local Bankruptcy Rule (LBR) 2002-1.
All sections must be completed.

1. The specific subsections of 11 U.S.C. § 363(f) movant relies on for authority to sell the
property free and clear of liens are:
363(f)(3)

2. Buyer's name & relation to debtor:

Michael and Brooke Matsuda. Unrelated to debtor

3. General description of the property (if real property, state street address here. Also attach legal description as an exhibit to the notice filed with the court):

Real property located at 24720 SW Allison Lane, Sherwood, OR 97140

4. A copy of the full property description or inventory may be examined or obtained at:

Contact Trustee

5. The property may be previewed at (include time and place):

Contact Trustee

6. Other parties to the transaction and their relationship to the debtor are:

N/A

7. The gross sale price is: \$ 2,484,252.00.

All liens on the property total \$ 1,698,135.31, of which movant believes a total of \$ 0.00 need not be paid as secured claims (because the lien is invalid, avoidable, etc., the lienholder consents to less than full payment, or part or all of the underlying debt is not allowable).

Secured creditor(s) also seek(s) reimbursement of \$ 0.00 for fees and costs.

Total sales costs will be: \$ \$25,000.00.

All tax consequences have been considered, and it presently appears that the sale will result in net proceeds to the estate after payment of valid liens, fees, costs, and taxes of approximately: \$ 786,116.69.

8. The sale ☒ is ☐ is not (mark one) of substantially all of the debtor's assets. Terms and conditions of sale:

Sale is subject to financing, and well and septic inspections. Seller agrees to credit up to \$25,000 to buyer for any repairs buyer's appraiser determines are a necessary condition to close purchase financing.

9. Competing bids must be submitted to the movant no later than 02/14/2023 and must exceed the above offer by at least \$10,000.00 and be on the same or more favorable terms to the estate.

10. Summary of all available information regarding valuation, including any independent appraisals:

2022 Washington County Tax Assessor Appraisal - \$734,640.00

11. If paragraph 7 indicates little or no equity for the estate, the reason for the sale is:

N/A

and expenses and taxes resulting from the sale will be paid as follows:

Closing Costs of approximately \$25,000

12. (Chapter 11 cases only) The reason for proposing the sale before confirmation of a plan of reorganization is:

N/A

13. The following information relates to lienholders (who are listed in priority order):

Name	Service Address [See <i>Federal Rule of Bankruptcy Procedure (FRBP) 7004</i>]	Approx. Lien Amount	Indicate Treatment at Closing (Fully Paid, Partially Paid, or Not Paid.)
See attached for lienholder information			

14. Any liens not fully paid at closing will attach to the sale proceeds in the same order of priority they attach to the property. Any proceeds remaining after paying liens, expenses, taxes, commissions, fees, costs, or other charges as provided in this motion, must be held in trust until the court orders payment.

15. (If real property) The court appointed real estate broker, N/A. Buyer's broker to be paid by Buyer. will be paid _____.

16. A hearing on the motion and any objections to the sale or fees, at which witnesses may not testify, is scheduled as follows:

Date: 02/21/2023 **Time:** 11:00 a.m.

Location: ☐ Courtroom #_____, _____

☒ Telephone Hearing [See LBf 888, *Telephone Hearing Requirements*.]

Call In Number: (888) 684-8852

Access Code: ☒ 5870400 for Judge David W. Hercher (dwh)

☐ 1238244 for Judge Peter C. McKittrick (pcm)

☐ 4950985 for Judge Teresa H. Pearson (thp)

☐ 3388495 for Judge Thomas M. Renn (tmr)

☐ Video Hearing. To connect, see www.orb.uscourts.gov/video-hearings.

If no timely objection is filed, the hearing may be canceled and an order submitted. Parties are encouraged to check the hearing calendar at <https://www.orb.uscourts.gov> after the objection deadline has passed.

17. I certify that on 01/18/2023 this document was served, under FRBP 7004, on the debtor(s), trustee (if any), U.S. Trustee, each named lienholder at the address listed above, the creditors' committee chairperson (if any), and their attorneys; and (unless movant is a chapter 7 trustee) that it was also sent on that date, pursuant to FRBP 2002(a), to all creditors and all parties as listed in the court's records that were obtained on 01/18/2023, a copy of which is attached to the document filed with the court.

18. For further information, contact:

David Criswell, 503-778-2198, CriswellD@lanepowell.com
Kenneth S. Eiler, 503-292-6020, kenneth.eiler7@gmail.com

01/18/2023 /s/ David W. Criswell, Attorney for Trustee
Date Signature & Relation to Movant

(If debtor is movant) Debtor's Address & Last 4 Digits of Taxpayer ID#

Name	Service Address	Approximate Lien Amount	Indicate Treatment at Closing
Washington County Tax Assessor	Washington County Assessment & Taxation 155 N. First Avenue, Suite 130 MS8 Hillsboro, Oregon 97124	\$12,586.10	Fully Paid
BRMK Lending, LLC	The Corporation Trust Company, Registered Agent Corporation Trust Center 1209 Orange St. Wilmington, DE 19801 Black Helterline LLP c/o Britta E. Warren 805 SW Broadway, Suite 1900 Portland, OR 97205	\$1,235,000.00	Fully Paid
BQC LLC	William P. Rosacker, Registered Agent 2605 N. College St., Newberg, OR 97132	\$19,107.00	Fully Paid
Durite Painting, Inc.	Nefodey Matveev, Registered Agent 16909 Mountain View Lane NE Woodburn, OR 97071	\$31,428.00	Fully Paid
Northwest Door and Supply, Inc.	Thomas Holmes, Registered Agent 10550 SW Manhasset Dr. Tualatin, OR 97062	\$44,058.50	Fully Paid
WCP, Inc.	Sussman Shank Registration Services, LLC, Registered Agent Attn: Darin D. Honn 1000 SW Broadway, Suite 1400 Portland, OR 97205	\$17,171.71	Fully Paid
Jeff and Terra Mattson	Jeff & Terra Mattson 17695 NE Leander Dr. Sherwood, OR 97140 Thomas W. Stilley Sussman Shank LLP 1000 SW Broadway, Suite 1400 Portland, OR 97205	\$338,784.00 (lien rights pursuant to 11 U.S.C. 363(j))	Fully Paid

Label Matrix for local noticing
0979-3
Case 22-31974-dwh7
District of Oregon
Portland
Wed Jan 18 08:17:16 PST 2023

1050 SW 6th Ave. #700
Portland, OR 97204-1160

BRMK Lending LLC
c/o Black Helterline LLP
805 SW Broadway Suite 1900
Portland, OR 97205-3359

Springer Construction LLC
14845 S.W. Murray Scholls Drive #11
PMB #105
Beaverton, OR 97007-9237

BQC LLC
1002-A N. Springbrook Road #128
Newberg, OR 97132-2160

BQC LLC
1002A N. Springbrook Road #128
Newberg, OR 97132-2160

BQC LLC
c/o Christopher W. Brown
2913 Portland Road
Newberg, OR 97132-1947

BQC LLC
c/o William P. Rosacker
Registered Agent
2605 N. College Street
Newberg, OR 97132-9128

BRMK Lending LLC
Broadmark Realty Capital Inc.
1420 Fifth Avenue #2000
Seattle, WA 98101-1348

BRMK Lending LLC
c/o Black Helterline
805 S.W. Broadway #1900
Portland, OR 97205-3359

BRMK Lending LLC
c/o CT Corporation System
Registered Agent
780 Commercial Street SE #100
Salem, OR 97301-3465

Brian Clopton Excavating Inc.
P.O. Box 509
Wilsonville, OR 97070-0509

Crabtree Rock Company Inc.
P.O. Box 430
Newberg, OR 97132-0430

Customline Shower
5865 S.W. Jean Road
Lake Oswego, OR 97035-5303

Durite Painting Inc.
P.O. Box 229
Woodburn, OR 97071-0229

Durite Painting Inc.
c/o Nefodey Matveev
Registered Agent
16909 Mountain View Lane N.E.
Woodburn, OR 97071-9554

Gregory and Maria Greulich
2502 N.W. Westover Road
Portland, OR 97210-3109

Gregory and Maria Greulich
c/o James L. Stepovich
12244 Fuerte Drive #1000
El Cajon, CA 92020-8322

Internal Revenue Service
Centralized Insolvency Operation
P.O. Box 7346
Philadelphia, PA 19101-7346

Jeff and Terra Mattson
19824 SW 72nd Ave #102
Tualatin OR 97062-8398

Jeff and Terra Mattson
c/o Neil N. Olsen
Olsen Barton LLC
5 Centerpointe Dr #220
Lake Oswego OR 97035-8620

K.D.M. Construction
7595 S.W. Frobase Road
Tualatin, OR 97062-9611

Knez Insulation Company LLC
P.O. Box 1430
Clackamas, OR 97015-1430

Lewis Audio Video
2112 Portland Road
Newberg, OR 97132-1363

M.N.Z. Construction
3660 Victor Point Road NE
Silverton, OR 97381-9579

Macadam Floor & Design LLC
6655 S.W. Macadam Avenue
Portland, OR 97239-3551

Mark O. Cottle
P.O. Box 1124
Sherwood, OR 97140-1124

Multnomah County Circuit Court
Case No. 22CV00722
1200 S.W. First Avenue
Portland, OR 97204-3266

Northwest Door & Supply
P.O. Box 68
Tualatin, OR 97062-0068

Northwest Door and Supply
c/o Thomas K. Wolf
5200 S.W. Meadows Road #150
Lake Oswego, OR 97035-0066

Northwest Door and Supply
c/o Thomas L. Holmes
Registered Agent
10550 S.W. Manhasset Drive
Tualatin, OR 97062-8589

Oregon Department of Revenue
Bankruptcy Unit
955 Center Street NE #353
Salem, OR 97301-2555

Phillips Pump Sales & Service
P.O. Box 938
Newberg, OR 97132-0938

Portland General Electric
P.O. Box 4438
Portland, OR 97208-4438

Standard TV & Appliance
3600 S.W. Hall Blvd.
Beaverton, OR 97005-2052

Stephen A. Shaw
21501 S.W. Nicholas View Drive
Sherwood, OR 97140-8958

US Trustee, Portland
1220 SW 3rd Ave., Rm. 315
Portland, OR 97204-2829

WCP Inc.
P.O. Box 37
Wilsonville, OR 97070-0037

WCP Inc.
c/o Adam J. LeBrun
11825 S.W. Greenburg Road #212
Tigard, OR 97223-6466

WCP Inc.
c/o Sussman Shank Registration Services
Registered Agent
1000 S.W. Broadway #1400
Portland, OR 97205-3066

Washington County
Assessment and Taxation
155 N. First Avenue #130
Hillsboro, OR 97124-3072

Washington County Circuit Court
Case No. 21CV40573
150 North First Avenue - MS 37
Hillsboro, OR 97124-3002

Washington County Circuit Court
Case No. 22CV05957
150 North First Avenue, - MS 37
Hillsboro, OR 97124-3002

Washington County Circuit Court
Case No. 22CV09413
150 North First Avenue, - MS 37
Hillsboro, OR 97124-3002

Washington County Circuit Court
Case No. 22CV17511
150 North First Avenue - MS 37
Hillsboro, OR 97124-3002

Washington County Circuit Court
Case No. 22CV22464
150 North First Avenue - MS 37
Hillsboro, OR 97124-3002

Washington County Circuit Court
Case No. 22CV25303
150 North First Avenue - MS 37
Hillsboro, OR 97124-3002

Waste Management of Oregon
800 Capitol Street #3000
Houston, TX 77002-2945

Waste Management of Oregon
c/o CT Corporation
Registered Agent
780 Commercial Street SE #100
Salem, OR 97301-3465

Waste Management of Oregon
c/o Damon J. Petticord
7175 S.W. Beveland Road #210
Portland, OR 97223-8665

Kenneth S Eiler
515 NW Saltzman Rd - PMB 810
Portland, OR 97229-6098

TODD TRIERWEILER
4721 NE 102nd Ave
Portland, OR 97220-3339

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Northwest Door and Supply
P.O. Box 68
Tualatin, OR 97062-0068

(u)Jeff and Terra Mattson

End of Label Matrix
Mailable recipients 51
Bypassed recipients 2
Total 53